

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Soverain Software LLC,

Plaintiff,

V.

CDW Corporation, Newegg Inc., Redcats USA, Inc., Systemax Inc., and Zappos.com, Inc.,

Defendants.

Case No. 6:07-CV-00511 (LED)

**DEFENDANT ZAPPOS.COM, INC.'S AGREED MOTION TO EXTEND
TIME TO ANSWER OR OTHERWISE RESPOND TO
PLAINTIFF'S COMPLAINT FOR PATENT INFRINGEMENT**

Defendant, ZAPPOS.COM, INC. (“Zappos”), without waiving any defenses or any matters that might be present pursuant to the Federal Rules of Civil Procedure 12(b) files this Agreed Motion to Extend Time for Defendant to file an Answer or Otherwise Respond to Plaintiff’s Complaint for Patent Infringement and in support of same would respectfully show the Court as follows:

Defendant Zappos has requested an extension of time to answer or otherwise respond to Plaintiff's Complaint for Patent Infringement. Plaintiff has agreed to such an extension. The parties respectfully request that Defendant Zappos be granted an extension of time to file its answer or otherwise respond to Plaintiff's Complaint for Patent Infringement to and including December 31, 2007.

WHEREFORE, PREMISES CONSIDERED, Defendant Zappos respectfully moves the Court to extend the deadline as set forth above and for such other and further relief as it may show itself justly entitled.

A proposed Order granting this agreed Motion is attached for the Court's convenience.

DATED: December 6, 2007

Respectfully submitted,

By: /s/ Theodore T. Herhold

Theodore T. Herhold (Lead Attorney)
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Attorneys for Defendant ZAPPOS.COM, INC.

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7, I hereby certify that Defendant Zappos conferred with Counsel for Plaintiff regarding this Motion and counsel for Plaintiff does not object to the relief requested.

/s/ Theodore T. Herhold
Theodore T. Herhold

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served on December 6, 2007, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Theodore T. Herhold
Theodore T. Herhold